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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/872,878	06/01/2001	Frank Leymann	DE920000002US1	3172

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EXAMINER

LEROUX, ETIENNE PIERRE

ART UNIT	PAPER NUMBER
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2171

DATE MAILED: 03/09/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/872,878

Applicant(s)

LEYMANN ET AL.

Examiner

Etienne P LeRoux

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 December 2003.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 2, 8 and 11-13 are rejected under 35 U.S.C. 102(e) as being anticipated by US Pat No. 5,930,512 issued to Boden et al (hereafter Boden '512).

Claims 1, 8 and 11-13:

Boden '512 discloses a method of optimizing a workflow management system (WFMS), said method being executable by said WFMS on at least one computer system,

- said WFMS accessing a WFMS database containing as an object at least one process model or an instantiation of said process model (process instance) *[IBM FlowMark, col 12, lines 36-41]*,
- said method comprising the step of transferring said object of the WFMS database to an archive database *[one database for developing and testing and one database for operational processes, col 12, lines 57-64]*.

Claim 2:

Boden '512 discloses the step of transferring objects of the WFMS database to the archive database is carried out if predetermined event occurs [col 9, lines 7-17]

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3, 4, 6, 7, 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boden '512 in view of US Pat No. 6,067,548 issued to Cheng (hereafter Cheng '548).

Claim 3:

Boden '512 discloses the elements of claim 1 as noted above.

Boden '512 fails to disclose the step of transferring objects of the WFMS database to the archive database is carried out if the objects are not currently used by the WFMS.

Cheng '548 discloses the step of transferring objects of the WFMS database to the archive database is carried out if the objects are not currently used by the WFMS [col 8, lines 24-36].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Boden '512 to include the step of transferring objects of the WFMS database to the archive database is carried out if the objects are not currently used by the WFMS as taught by Cheng '512.

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The ordinarily skilled artisan would have been motivated to modify Boden '512 as above for the purpose of removing files from the active database in order to conserve the resources of the active database.

Claim 4:

Boden '512 discloses the elements of claim 1 as noted above.

Boden '512 fails to disclose the objects transferred to the archive database comprise process instances.

Cheng '548 discloses the objects transferred to the archive database comprise process instances [col 8, lines 24-36]

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Boden '512 to include the objects transferred to the archive database comprise process instances as taught by Cheng '548.

The ordinarily skilled artisan would have been motivated to modify Boden '512 as above for the purpose of keeping current business records in a database having fast access.

Claim 6:

Boden '512 discloses the elements of claims 1 and 4 as noted above.

Boden '512 fails to disclose the further step of transferring from an application store to an application archive store data which is managed by programs that implement activities of a process model from which process instances are transferred to the archive database.

Cheng '548 discloses the further step of transferring from an application store to an application archive store data which is managed by programs that implement activities of a

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process model from which process instances are transferred to the archive database [col 8, lines 24-36].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Boden '512 to include the further step of transferring from an application store to an application archive store data which is managed by programs that implement activities of a process model from which process instances are transferred to the archive database as taught by Cheng '548.

The ordinarily skilled artisan would have been motivated to modify Boden '512 as above for the purpose of automatically transferring information from the active database to the archive database.

Claims 7, 9 and 10:

Boden '512 discloses the elements of claims 1, 4 and 6 as noted above.

Boden '512 fails to disclose the further step of transferring the data from the application archive store back to the application store.

Cheng '548 discloses the further step of transferring the data from the application archive store back to the application store [col 8, lines 24-36].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Boden '512 to include the further step of transferring the data from the application archive store back to the application store as taught by Cheng '548.

The ordinarily skilled artisan would have been motivated to modify Boden '512 as above for the purpose of transferring data from the inactive state to the active state.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Boden '512 and Cheng '548 and further in view of US Pat No. 4,864,569 issued to DeLucia et al (hereafter DeLucia '569)

Claim 5:

The combination of Boden '512 and Cheng '548 disclose the elements of claims 1 and 4.

The combination of Boden '512 and Cheng fails to disclose the process instances transferred to the archive database are selected among instances of a certain process model depending on the value of certain properties of the process model.

DeLucia '569 discloses the process instances transferred to the archive database are selected among instances of a certain process model depending on the value of certain properties of the process model [col 2, lines 39-45]

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Boden '512 and Cheng '548 to include the process instances transferred to the archive database are selected among instances of a certain process model depending on the value of certain properties of the process model as taught by DeLucia '569.

The ordinarily skilled artisan would have been motivated to modify the combination of Boden '512 and Cheng '548 as above for the purpose of tracking revised and earlier generations of software [col 2, lines 10-23]

Response to Arguments

Applicant's arguments filed 12/11/2003 have been fully considered but they are not persuasive.

Applicant Argues:

Applicant states on page 5 "Boden has a superficial similarity to applicants' system in that it relates to workflows and process models and discusses archiving. However, Boden is merely archiving the data' (the insurance application) being managed by the insurance model shown in Fig. 1-5, and even then only because the application implementing the "Archive Application" activity 324 is doing the archiving.

Some further explanation may be helpful here. A business process consists of a set of activities. An activity is typically implemented via an executable of some type. When a WFMS of the prior art carries out a business process, it navigates through the business process from one activity to the next. When an activity is being carried out, the WFMS invokes the associated executable. The executable does whatever it is programmed to do, including accessing some data in some data store, and when completed, returns to the WFMS. The WFMS then continues navigation through the business process. Therefore, other than launching an executable, a WFMS does not concern itself with what the executable does. In Boden, for example, the WFMS would not even know that a life insurance application is being archived at step 324. Rather, that would be the concern of whatever application performed the "Archive Application" activity at step 324.

Thus, there is no notion in Boden of archiving either the process model itself or an instance of that model as claimed by applicants, nor is there any notion generally of archiving

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anything at that level. While the application implementing activity 324 may archive particular data that it handles, it has no similar ability to archive itself or- the process level or process instance containing the activity, nor would the application be expected to have such an ability.”

Examiner Responds:

Examiner is not persuaded. Regarding the claim 1 limitation “said method comprising the step of transferring said object of the WFMS database to an archive database,” Boden teaches in column 12, lines 42-64 the following:

In this preferred embodiment based on the IBM FlowMark workflow manager, workflow server 120 includes a **buildtime module and a runtime module**.

The buildtime module provides for defining, graphically depicting, and documenting models of the processes; assigning staff members to the activities in the processes; associating OS/2, AIX, and Windows programs with particular activities; and animating workflow models to test them.

Runtime module 122, also referred to as a workflow server or a Flowmark server, provides for starting processes that have been translated from buildtime; managing processes that are already started; starting activities that running processes make ready; transferring activities from one user's work list to another's; and tracking processes and the status of activities assigned to staff members.

FlowMark provides as many separate FlowMark databases as are needed. Upon logging on to the FlowMark workflow manager 120, the user specifies which databases are to be accessed. An advantage of multiple databases is that one database may be used for developing and testing workflow models, and another one use for executing tested models and operational processes.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Etienne LeRoux whose telephone number is (703) 305-0620. The examiner can normally be reached on Monday – Friday from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached on (703) 308-1436.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Etienne LeRoux

3/5/2004



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